

APPLICANT ARGUMENTS OR REMARKS

Claims 1-4 are now in the application. Claim 1 is amended. Claim 1 is an independent claim.

Claim Rejection under 35 U.S.C. 103(a)

The Office Action rejects claims 1-4 as obvious over Saxby (U.S. Patent 6,415,718) in view of Kitchen (U.S. Patent 6,502,516).

The present claimed invention is a gun-barrel projectile having a metal head and a rear plastic portion. The rear plastic portion includes a pin-shaped anterior part, a rod shaped central part, and a piston-like posterior part, all rigidly connected together as shown in, for instance, applicant's figure 5. The pin-shaped anterior part is inserted into a hole in the metal head. Before firing, a lower surface of the anterior part is separated from the upper surface of the posterior part by substantially the length of the central part. After firing, the central part rends from the anterior part at a predetermined breaking point. The central part is then pushed into the hollow space of the anterior part until the upper surface of the posterior part contacts the lower surface of the anterior part, as described in applicant's originally submitted specification at, for instance, page 6, lines 14 - 19.

Saxby, in contrast, teaches a structure in which the anterior part is slidably connected to a central part both before and after firing. Moreover, before firing, the upper surface of the posterior part contacts the lower surface of the anterior part. After firing, the lower surface of the anterior part is separated from the upper surface of the posterior part.

In order to further clarify these distinctions and to more clearly distinguish applicant's invention from the prior art, applicant has amended claim 1 to read, in relevant part:

a one piece, plastic rear part comprising a a pin-shaped interior part, a rod-shaped central part and a piston-like posterior part, and wherein the anterior part ... is rigidly connected to the central part via a predetermined breaking point such that the lower surface of the anterior part is separated from the upper surface of the posterior part by substantially the length of the central part, whereby after firing the predetermined breaking point rends allowing the central part to then be pushed into the hollow space of the anterior part until the upper surface of the posterior part contacts the lower surface of the anterior part.

Applicant submits that these amendments place independent claim 1 in condition for allowance and therefore requests that the amendment be entered and that these claims, as amended, now be allowed.

Applicant submits that claims 2-4 each depend from, and include all the limitations of, a now allowable independent claim. Applicant therefore requests that these claims, as amended, now be allowed.

Summary

Therefore in view of the foregoing amendments and remarks, applicant respectfully requests entry of the amendments, favorable reconsideration of the application, withdrawal of all rejections and objections and that claims 1-4 be allowed at an early date and the patent allowed to issue.

Respectfully submitted,

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